

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,) CASE NO. 06-327M
v.)
BRIAN FOY,) DETENTION ORDER
Defendant.)

Offenses charged:

Count I: MANUFACTURE OF MARIJUANA, in violation of Title 21 U.S.C. Sections 841(a)(1) and 841 (b)(1)(D);

Count II: MAINTAINING A MANUFACTURING OPERATION, in violation of Title 21 U. S. C. Section 856;

Count III: POSSESSION OF THREE-NECK FLASK FOR THE PURPOSE OF MANUFACTURING, in violation of Title 21 U.S.C. Section 843 (a)(6) and 843(d).

Date of Detention Hearing: June 29, 2006

The Court, having conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community. The Government was represented by Jill Otake. The

DETENTION ORDER

PAGE -1-

defendant was represented by Paula Deutsch.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) The defendant represents a risk of nonappearance due to the following:
Upon arrest he used an alias; he attempted to escape and thereafter attempted suicide while in his holding cell. He admits to poly-substance additions which have remained untreated.
- (2) Thus, there is no condition or combination of conditions that would reasonably assure future court appearances.

It is therefore ORDERED:

- (1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correctional facility separate, to the extent practicable, from persons awaiting or serving sentences, or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the correctional facility in which Defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
- (4) The clerk shall direct copies of this order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 29th day of June, 2006.



MONICA J. BENTON
United States Magistrate Judge